

UNITED STATES OF AMERICA
FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)	
)	CRIMINAL NO.
v.)	04-mj-10135-GAO
)	MJM04-812-MBB
JILL DOUCETTE)	
)	

MOTION TO SUPPRESS STATEMENTS OF DEFENDANT

The defendant, Jill Doucette, hereby moves this Honorable Court to suppress all statements allegedly made by her to police at the time of her arrest, as they were not volutarily made and the questioning that led to them was in violation of Ms. Doucette's Miranda rights. The defendant states the following grounds in support of this motion:

1. The statements that are the subject of this motion were made by Ms. Doucette after she was arrested, while she was in custody at the Wakefield Police Station on April 7, 2004, during an interrogation by D.E.A. Special Agent Clem Fisher. The alleged content of those statements is summarized in a D.E.A. Form 6 Report of Investigation written and signed by Special Agent Fisher on April 16, 2004.
2. At the time of her arrest, Ms. Doucette was high and did not have a good understanding of the events that were occurring around her.
3. She was not given a Miranda warning, and she did not waive her Miranda rights either orally or in writing.
4. Because the statements at issue were post-arrest statements made during a custodial interrogation, and no Miranda warnings were given nor was any waiver made by the defendant, the statements must be suppressed. Miranda v. Arizona, 384 U.S. 436,

16 L.Ed.2d 694, 86 S.Ct. 1602 (1966); United States v. Dickerson, 530 U.S. 428, 433, 147 L.Ed.2d 405, 120 S.Ct. 2326 (2000); United States v. Faulkingham, 295 F.3d 85 (1st Cir. 2002).

WHEREFORE, the Defendant requests this Honorable Court to suppress her post-arrest statements made on April 7, 2004.

Respectfully submitted,

JILL DOUCETTE

By her Attorney



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CERTIFICATE OF SERVICE

The undersigned, counsel for the defendant, hereby certifies that the within document has been served on all parties of interest.

1/25/05
Date


Leslie Feldman-Rumpler, Esq.